IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION NO.1261 OF 2007

Neelkanth G. Jadhav. ...Petitioner.
Versus
M/s. Carona Ltd. & Ors. ...Respondents.

.....

Ms.Gayatri Singh for the Petitioner.
Mr. C.U. Singh, Senior Advocate with Ms.Soma Singh i/b. Sanjay Udeshi & Co. for Respondent Nos.1 and 2.
Mr. R.M. Pethe for Respondent No.4.
Mr. S.N. Karkera for the Carona Employees' Union.

.....

CORAM : SMT.RANJANA DESAI &
DR. D.Y. CHANDRACHUD, JJ.

October 1, 2007.

P.C.:

We have heard the Learned Counsel appearing for the Petitioner at great length. Her grievance is that despite order dated 12th July 1999 passed by the Division Bench consisting of Justice Ghodeswar & Justice Srikrishna and order of yet another Division Bench consisting of Justice Rebello & Justice Mohta, dated 14th March 2006, the BIFR is not giving a hearing to the Petitioner on the ground that the Petitioner is not a recognized Union. Mr. Singh,

Learned Counsel appearing for Respondent Nos.1 and 2 states that the BIFR has already heard the Petitioner. The Petitioner, however, seriously disputes this. We do not want to go into that aspect. If the BIFR has not heard the Petitioner, the BIFR will have to hear the Petitioner as directed by the Court in the orders dated 12th July 1999 and 14th March 2006 mentioned hereinabove, particularly considering the statement made by Mr.Singh that they will not raise any objection before the BIFR on the ground that the Petitioner is not a recognized Union. In view of the above, it is not necessary to keep the petition pending. The Petition is disposed of. We make it clear that all issues raised by the Petitioner are kept open.

SMT.RANJANA DESAI, J.

DR. D.Y. CHANDRACHUD, J.